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12 ATR-KIM ENG FINANCIAL CORPORATION and
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14 UNITED STATES DISTRICT COURT
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16 NORTHERN DISTRICT OF CALIFORNIA
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18 SAN FRANCISCO DIVISION
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13 ATR-KIM ENG FINANCIAL CORPORATION
14 and ATR-KIM ENG CAPITAL PARTNERS,
15 INC.,

16 Plaintiffs,

17 v.

18 HUGO NERY BONILLA and MONICA
19 ARANETA,

20 Defendants.

No. CV 07-6239 SC

STIPULATION RE REASSIGNMENT
TO BANKRUPTCY COURT;
[PROPOSED] ORDER THEREON

STIPULATION RE REASSIGNMENT; ORDER THEREON

1 Plaintiffs ATR-Kim Eng Financial Corporation and ATR-Kim Eng Capital Partners,
 2 Inc. (collectively, "ATR") and Defendants Hugo Nery Bonilla ("Bonilla") and Monica
 3 Araneta ("Araneta") (collectively, the "Parties"), by and through their respective
 4 undersigned counsel, hereby enter into this Stipulation with reference to the following
 5 recitals.

6 RECITALS

7 WHEREAS, ATR initiated an action against Bonilla and Araneta in the San Mateo
 8 County Superior Court, alleging claims of fraudulent transfer of certain real property in
 9 Hillsborough, California (the "ATR Action");

10 WHEREAS, after commencement of the ATR Action, Bonilla filed a Chapter 7
 11 bankruptcy petition in the United States Bankruptcy Court for the Northern District of
 12 California ("Bankruptcy Court"), now pending before the Hon. Thomas E. Carlson as *In re*
 13 *Hugo N. Bonilla*, Bank. No. 07-30309 (the "Bonilla Bankruptcy");

14 WHEREAS, on December 10, 2007, ATR filed a notice of removal in this Court and
 15 removed the ATR Action from San Mateo County Superior Court to this Court, where it
 16 now is pending as the above-captioned action;

17 WHEREAS, on April 7, 2008, Judge Carlson of the Bankruptcy Court issued an order
 18 (the "April 7, 2008, Order") reassigning the ATR Action from this District Court to Judge
 19 Carlson in the Bankruptcy Court (a copy of the April 7, 2008, Order is attached hereto as
 20 Exhibit A); and

21 WHEREAS, pursuant to the April 7, 2008, Order, ATR has submitted all filing fees
 22 and paper work necessary to effect the reassignment, and the ATR Action now is pending
 23 before Judge Carlson as *ATR-Kim Eng Financial Corp. et al. v. Monica Araneta*, Adv. Proc.
 24 No. 08-3031 TEC.

25 WHEREFORE, due to the reassignment of the ATR Action from the District Court to
 26 the Bankruptcy Court, the Parties agree and stipulate that the ATR Action, insofar as it
 27 remains pending before the District Court, should be administratively transferred to the Hon.
 28 Thomas E. Carlson of the Bankruptcy Court under the adversary proceeding entitled *ATR-*

STIPULATION RE REASSIGNMENT; ORDER THEREON


Kim Eng Financial Corp. et al. v. Monica Araneta, Adv. Proc. No. 08-3031 TEC.

STIPULATION

The parties to the above-captioned action — Plaintiffs ATR-Kim Eng Financial Corporation and ATR-Kim Eng Capital Partners, Inc., and Defendants Hugo Nery Bonilla and Monica Araneta — by and through their respective undersigned counsel, hereby AGREE AND STIPULATE that the above-captioned action, insofar as it remains pending before the District Court, should be reassigned and administratively transferred to the Hon. Thomas E. Carlson of the Bankruptcy Court under the adversary proceeding entitled *ATR-Kim Eng Financial Corp. et al. v. Monica Araneta*, Adv. Proc. No. 08-3031 TEC.

Dated: June 12, 2008

HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN
A Professional Corporation

By: 
LONG X. DO

Attorneys for ATR-KIM ENG FINANCIAL
CORPORATION and ATR-KIM ENG CAPITAL
PARTNERS, INC.

Dated: June __, 2008


MACDONALD AND ASSOCIATES
ALBERT K. MARTIN, ESQ.

By: _____
ALBERT K. MARTIN

Attorneys for HUGO N. BONILLA

Dated: June 12, 2008

BINDER & MALTER, LLP
COTCHETT, PITRE & MCCARTHY

By: 
JULIE ROME-BANKS

Attorneys for MONICA ARANETA

STIPULATION RE REASSIGNMENT; ORDER THEREON

HOWARD
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1 *Kim Eng Financial Corp. et al. v. Monica Araneta*, Adv. Proc. No. 08-3031 TEC.

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3 **STIPULATION**

4 The parties to the above-captioned action — Plaintiffs ATR-Kim Eng Financial
5 Corporation and ATR-Kim Eng Capital Partners, Inc., and Defendants Hugo Nery Bonilla
6 and Monica Araneta — by and through their respective undersigned counsel, hereby
7 AGREE AND STIPULATE that the above-captioned action, insofar as it remains pending
8 before the District Court, should be reassigned and administratively transferred to the Hon.
9 Thomas E. Carlson of the Bankruptcy Court under the adversary proceeding entitled *ATR-*
10 *Kim Eng Financial Corp. et al. v. Monica Araneta*, Adv. Proc. No. 08-3031 TEC.

11 Dated: June __, 2008

HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN
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12
13 By: _____
LONG X. DO

14 Attorneys for ATR-KIM ENG FINANCIAL
15 CORPORATION and ATR-KIM ENG CAPITAL
16 PARTNERS, INC.

17
18 Dated: June __, 2008

MACDONALD AND ASSOCIATES

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20 By:  _____
ALBERT K. MARTIN

21 Attorneys for HUGO N. BONILLA

22
23
24 Dated: June __, 2008

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25 COTCHETT, PITRE & MCCARTHY

26 By: _____
JULIE ROME-BANKS

27 Attorneys for MONICA ARANETA

28 STIPULATION RE REASSIGNMENT; ORDER THEREON